

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
RICHARD MELESKI	:	VIOLATIONS:
	:	18 U.S.C. § 924(a)(1)(A)
	:	(making false statements to federal
	:	firearms licensees - 2 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INFORMATION

COUNTS ONE AND TWO

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. Federal firearms licensees ("FFLs") are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFLs are permitted to sell firearms and ammunition.
2. Dealer 1, located in Chalfont, Pennsylvania, was an FFL authorized to deal in firearms under federal laws.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a firearm fill out a Firearm Transaction Record, ATF Form 4473 ("Form 4473"). Question 11.a. of the Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she is the actual buyer of the firearm. The

Form 4473 contains the following language in bold type: **“Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.”** In the certification section of the Form 4473, the actual buyer must certify that his or her answers to the questions on the form are “true, correct, and complete,” and acknowledge by his or her signature that “making any false oral or written statement . . . is a crime punishable as a felony under Federal law, and may also violate State and/or local law.”

4. FFLs are required by law to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL, including the buyer’s home address and date of birth.

5. Individual 1, a person known to the United States Attorney, at the direction of defendant RICHARD MELESKI, traveled to Dealer 1 to purchase firearms for defendant MELESKI on February 21, 2017 and March 4, 2017 respectively. On both occasions, defendant MELESKI traveled with Individual 1 to Dealer 1, directed Individual 1 to buy firearms selected by defendant MELESKI, and subsequently exercised joint possession of these firearms with Individual 1 after the purchase. On each of these occasions, Individual 1 falsely filled out the ATF 447. Specifically in response to question 11 a., asking whether Individual 1 was the actual transferee/ purchaser of the firearms she purchased, and next to the warning, **“You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you,”** Individual 1 falsely responded “yes” even though Individual 1 was aware she was purchasing the firearms at the direction and for the benefit of defendant MELESKI.

6. On or about the dates listed below, in the Eastern District of Pennsylvania, defendant

RICHARD MELESKI,

in connection with the acquisition of each of the firearms listed below, knowingly made and aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL's records, in that, at the direction of defendant MELESKI, Individual 1 falsely certified on ATF Form 4473, Firearms Transaction Record, that Individual 1 was the actual buyer of the firearms, when in fact, Individual 1 and defendant MELESKI knew this statement was false and fictitious in that Individual 1 was actually purchasing the firearms for defendant MELESKI, each falsely certified form constituting a separate count:

Count	Date	FFL Location	Firearm	Serial Number
One	2/21/2017	Chalfont, PA	Glock, Model 42, .380 caliber pistol	ACGL629
Two	3/4/2017	Chalfont, PA	Glock, Model 43, 9mm pistol	BCZS419

All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:


As a result of the violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2, as set forth in this indictment, defendant

RICHARD MELESKI

shall forfeit to the United States of America the firearm and ammunition involved in the commission of such offense, including, but not limited to:

1. Glock, Model 42, .380 caliber pistol, serial number ACGL629
2. Glock, Model 43, 9MM pistol, serial number BCZS419
3. Ammunition including:
 - a. 274 rounds of .380 caliber ammunition;
 - b. 145 rounds of 9mm ammunition;
 - c. 23 rounds of 12 gauge shotgun ammunition;
 - d. 25 rounds of 20 gauge shotgun ammunition.
4. One metal ammunition box labeled "9MM AMMO;"
5. One metal ammunition box labeled "380 AMMO;"
6. Two orange gun locks;
7. Two empty pistol magazines.

All pursuant to Title 18, United States Code, Section 924(d), made applicable by Title 28, United States Code, Section 2461(c).


WILLIAM M. McSWAIN
United States Attorney